

M&N-IT 213

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper for Serial No. 10/047,613 is being facsimile transmitted to Technology Center 2800 of the Patent and Trademark Office on the date shown below.

Kyle H. Flindt December 24, 2003
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applic. No. : 10/047,613 Confirmation No.:5759
Applicant : Karl Joachim Ebeling, et al.
Filed : January 15, 2002
Art Unit : 2828
Examiner : James W. Davie
Title : Vertical Laser Diode with Means for Beam
Profile Forming
Docket No. : M&N-IT 213
Customer No. : 24131

A M E N D M E N T

Mail Stop Non Fee Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S i r :

Responsive to the Office Action dated September 24, 2003

kindly amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 10 of this paper.

Remarks/Arguments begin on page 17 of this paper.

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To:	<u>Ex. James W. Davie</u>	Fax No.:	<u>703-872-9306</u>
From:	<u>Carmen Panizzi</u>	Fax No.:	<u>954-925-1101</u>
Date:	<u>December 29, 2003</u>	RE:	<u>Appl. No. 10/047,613</u>

No. of Pages including cover sheet: 32

CONFIDENTIAL TO ADDRESSEE
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Further to our telephone conversation from a few moments ago, attached please find the re-transmission of an amendment for the above-identified patent application, initially facsimile transmitted on December 24, 2003.

As discussed, it appears that the document was received in different intervals at your end. You will find copies of the Individual Auto-Reply Facsimile Transmission sheets generated by the USPTO and substantiating our claim for a timely filing of the amendment.

Unless notified by you to the contrary, we will regard this document as having been filed and entered on its due date of December 24, 2003.

Please do not hesitate to contact me, should you require additional information.

/cp